

1 Rene L. Valladares
2 Federal Public Defender
3 Nevada State Bar No. 11479
4 *Ron Sung
5 Assistant Federal Public Defender
6 Nevada State Bar No. 13047
7 411 E. Bonneville Ave., Ste. 250
8 Las Vegas, Nevada 89101
9 (702) 388-6577
10 Ron_Sung@fd.org

11 *Attorney for Petitioner George Lopez

12 UNITED STATES DISTRICT COURT
13 DISTRICT OF NEVADA

14 George Lopez,

15 Petitioner,

16 v.

17 Calvin Johnson, *et al.*,

18 Respondents.

Case No. 2:20-cv-01496-RFB-VCF

**Unopposed Motion to Extend Time
to File Amended Petition**

(Second request)

1 Petitioner George Lopez respectfully moves for an extension of 90 days to file
2 his amended petition under 28 U.S.C. § 2254, up to and including August 24, 2022.
3 The amended petition is currently due on May 26, 2022.¹ Respondents, by Deputy
4 Attorney General Gerri Hardcastle, do not object to this request for an extension.
5 Respondents' lack of objection to this request should not be construed as a waiver of
6 any procedural defense or argument. This is Lopez's second request for an extension.

7 Lopez's pro se petition was filed in this Court on August 12, 2020.² The Court
8 ordered Lopez to show cause why the petition should not be dismissed as untimely.³
9 Lopez responded,⁴ and the Court found Lopez had "demonstrated both an
10 extraordinary circumstance and diligence," warranting equitable tolling.⁵ The Court
11 also appointed the Federal Public Defender's Office to represent Lopez and file a
12 counseled amended petition.⁶ The Federal Public Defender's Office appeared for
13 Lopez on October 15, 2021.⁷ Undersigned counsel appeared for Lopez on May 11,
14 2022.⁸

15 Undersigned Counsel respectfully submits that additional time is necessary to
16 properly prepare the amended petition. Undersigned counsel only recently appeared
17 for Lopez after prior counsel withdrew. Undersigned counsel will need to review this
18 case and confer with Lopez before filing his amended petition.
19
20

21 ¹ ECF No. 21.

22 ² ECF No. 1-1.

23 ³ ECF No. 9.

24 ⁴ ECF No. 12.

25 ⁵ ECF No. 17.

26 ⁶ ECF No. 19.

27 ⁷ ECF No. 18.

⁸ ECF No. 20.

1 This motion is not filed for the purposes of delay, but in the interests of justice
2 and the interests of Lopez. Counsel respectfully asks this Court to grant Lopez's
3 request to extend the time for filing his amended petition by 90 days until August 24,
4 2022.

5 Dated May 26, 2022.


6 Respectfully submitted,

7
8 Rene L. Valladares
9 Federal Public Defender

10 /s/ Ron Y. Sung

11 Ron Y. Sung
12 Assistant Federal Public Defender

13
14 IT IS SO ORDERED:

15
16
17 
18 **RICHARD E. BOULWARE, II**
19 **United States District Court**

20 DATED this 26th day of May, 2022.
21
22
23
24
25
26
27